

$$11 - 12 = 03$$

36791

ATTORNEY DOCKET
091078.0554

PATENT
09/074,496

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James R. Albritton
Serial No.: 09/074,496
Filing Date: May 7, 1998
Group Art Unit: 3679
Examiner: John R. Cottingham
Title: BREAKAWAY SUPPORT POST FOR HIGHWAY GUARDRAIL END TREATMENTS

RECEIVED

DEC 02 2003

GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail
EV334488969US addressed to:
Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on the date
shown below.

Jay Howard

11-10-03

Date

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the reference listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. A copy of the reference is enclosed for the Examiner's convenience.

Applicant received an Office Action mailed October 9, 2003, in co-pending U.S. Patent Application Serial Number 10/442,843 filed May 21, 2003 where the Office Action cited a new reference to the co-pending application. Therefore, Applicant submits this newly cited reference for the

ATTORNEY DOCKET
091078.0554

PATENT
09/074,496

2

Examiner's review and consideration in this application.
Furthermore, pursuant to 37 C.F.R. §§1.97(g) and (h), no representation is made that this reference is material to the patentability of the present application.

Applicant encloses a check in the amount of \$180.00 and believes no further fees are due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.



Thomas R. Felger
Reg. No. 28,842

Correspondence Address

Baker Botts L.L.P.
2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
512.322.2599

Date: 10 NOV 2003